

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**THE ESTATE OF GERALDINE H.
BORCHARDT, by and through her personal
representative, LENORA M. BRUSKI,
Plaintiff,**

v.

Case No. 13-C-0293

**BMO HARRIS BANK, N.A., as successor by
merger to M&I MARSHALL & ILSLEY
BANK,
Defendant.**

ORDER

Defendant has filed a notice of removal and asserts that federal subject matter jurisdiction exists under 28 U.S.C. § 1332. The plaintiff is the personal representative of an estate of a decedent and is therefore deemed a citizen of the same state as the decedent. 28 U.S.C. § 1332(c)(2). The notice of removal alleges that the decedent was a “resident” of Wisconsin. (Notice of Removal ¶ 5.) However, residence and citizenship are not synonyms, and it is the latter that matters for purposes of diversity jurisdiction. See, e.g., Meyerson v. Harrah's East Chicago Casino, 299 F.3d 616, 617 (7th Cir. 2002).

THEREFORE, IT IS ORDERED that, within ten days of the date of this order, the defendant must provide me with information regarding the citizenship of the decedent so that I may ensure that I have jurisdiction over this matter.

Dated at Milwaukee, Wisconsin, this 22nd day of March, 2013.

s/ Lynn Adelman
LYNN ADELMAN
District Judge